



State of Utah

Department of Natural Resources

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Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
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JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

September 1, 2005

Peggy Kelsey
Utah County Planning and Zoning
100 East Center, Suite 3800
Provo, Utah 84601

Subject: DOGM Protocol for Release of Reclamation Surety, Nielson Construction Company, Nielson Limestone Mine, S/049/052, Utah County, Utah

Dear Ms. Kelsey:

The Division received a request from Mr. Ken Nielson to inform Utah County Planning and Zoning that the State will not release the reclamation surety until Utah County has had an opportunity to inspect the site for compliance with their (Utah County) ordinances.

Division rules state that the Division is to coordinate with other agencies as we conduct our business. Postmining land uses must conform to county ordinances. Therefore, the Division will contact the County and provide an opportunity for the County to perform a joint inspection of the mine prior to releasing the surety. However, if the reclamation work meets the State criteria for successful reclamation, the Division is obligated to release the site.

We hope this satisfies your needs regarding the Nielson Limestone Mine. Please don't hesitate to call me at (801) 538-5258 or Lynn Kunzler (538-8310) if you need further clarification on this matter.

Sincerely,

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:LK:jb

cc: Ken Nielson, Nielson Const.
Bond Folder, DOGM

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